

**MINUTES OF THE  
VINEYARD TOWN COUNCIL MEETING  
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah  
May 9, 2012**

**PRESENT –**

Mayor Randy Farnworth  
Councilmember Sean Fernandez  
Councilmember Norm Holdaway  
Councilmember Nathan Riley

**ABSENT:**

Councilmember Jeff Gillespie

**Staff Present:** Water Operator Sullivan Love, Town Engineer Don Overson, Town Attorney Dave Church, UCSO Deputy Collin Gordon, Deputy Recorder Debra Cullimore, Deputy Treasurer Kelly Boren

**Others Present:** Stewart Park of Anderson Development, Verl Cook, Tony Cook, Mrs. Verl Cook, Robert Holdaway, Cummorah Holdaway

The Vineyard Town Council held a Regular Meeting Wednesday, May 9, 2012, beginning at 7:00 p.m. The invocation was offered by Norm Holdaway.

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**Regular Session** – The meeting was called to order at 7:05 p.m.

**MINUTES REVIEW AND APPROVAL –**

COUNCILMEMBER RILEY MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF APRIL 25, 2012. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

**PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL** - *Planning Commission Liaison Norman Holdaway*

Councilmember Holdaway had no new business to forward to the Council from the Planning Commission.

**STAFF REPORTS -**

Planner, Jim Carter – Logan Simpson Design – Mr. Carter was not present at the meeting.

Engineer, Don Overson – JUB Engineers – Mr. Overson had no items to report.

Water Operator Technician – Sullivan Love – Mr. Love reported that he worked with the Utah County Sheriff's Office inmate work crew to complete a clean-up project on Vineyard Road and Gammon Road

on Tuesday, May 8, 2012. The work crew will be returning to assist contractors with a clean-up project in the Sleepy Ridge Subdivision.

Mr. Overson noted that the Town Hall was not connected to the sewer system at the time it was installed due to the fact that it would have been the only connection pumping to TSSD. He suggested that the Council consider connecting Town Hall to the sewer system since homes in The Shores subdivision will be connecting to the system. Mayor Farnworth asked Mr. Love if the sewer pumps have been exercised periodically to keep them in working order. Mr. Love explained that the pumps exercise automatically. Councilmember Fernandez will notify TSSD that the sewer will begin to be pumped to that facility in the near future.

Attorney – David Church – Mr. Church was not present at the meeting.

Utah County Sheriff's Department – Deputy Gordon had no new items to report.

## **BUSINESS ITEMS –**

***5.1 Discussion - 575 South Roadway Right of Way – The Council will discuss terms of a possible purchase agreement for purchase of the 575 South right-of-way with property owner, Verl Cook.***

Councilmember Riley explained that he and Councilmember Fernandez recently met with the Cook family to discuss this issue. He thanked the Cooks for their willingness to work together to resolve this issue. Councilmember Riley stated that following discussion with the Cooks, he and Councilmember Fernandez felt that the offer made by the Cooks to sell the property for \$180,000 was reasonable and represented less cost to the Town than the condemnation process.

Councilmember Riley observed that the financial condition of the Town will not accommodate payment in full in this fiscal year. The agreement before the Council outlines a three year payment period with three equal payments of \$60,000 annually. The proposed agreement addresses several other issues relative to the property, including extension of existing irrigation pipes, removal of soil at the sides of the road to allow access to the property, that additional road improvements including curb, gutter and sidewalk will not be required unless the property develops in the future, and that the Town issue a friendly letter of condemnation stating the Town's intention to move forward with acquisition of the roadway.

Councilmember Riley explained that the agreement has been reviewed by Mr. Church and the Cook's attorney. The agreement before the Council includes comments from the Cook's attorney, which have been reviewed and approved by Mr. Church. He noted that purchase of the right-of-way will result in the creation of three separate parcels. The Town will be responsible to prepare and record a subdivision plat identifying the three parcels.

Councilmember Riley stated that he discussed the agreement with Councilmember Gillespie, who was not present at the meeting. During their discussion, Councilmember Gillespie expressed his approval of the agreement and his appreciation to the Cooks for their cooperation in coming to a reasonable solution for both parties.

Councilmember Riley requested that the Council approve the agreement with final approval of amendments as per the Cooks attorney by Mayor Farnworth prior to signing the final agreement. He

noted that the lease agreement between the Cooks and Keiwi is scheduled to expire May 16, 2012, and that it will be necessary to finalize the agreement prior to that date.

The Council went on to discuss the road alignment. Mr. Overson explained that the Town is acquiring the full 67 foot right-of-way, but that the actual width of the road varies slightly as it comes in at a curve. The final road width shown on the plat will match the width shown on the plat for roadway section purchased from the LDS Church.

Mayor Farnworth called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER RILEY MOVED TO AUTHORIZE MAYOR FARNWORTH TO SIGN THE REAL ESTATE PURCHASE AGREEMENT BETWEEN VINEYARD TOWN AND THE COOK FAMILY AS OUTLINED PENDING APPROVAL OF FINAL REVISIONS BY MR. CHURCH AND COUNSEL FOR THE COOK FAMILY AND AUTHORIZE THE TOWN ENGINEER TO PROCEED WITH PREPARATION OF THE SUBDIVISION PLAT FOR THE SUBJECT PROPERTIES. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

Tony Cook stated that he will contact Keiwi to notify them that the roadway will remain open and that liability for the roadway will now be transferred to the Town.

Vineyard resident, Cummorah Holdaway, thanked the Council and the Cook family for working together for the benefit of the community.

***5.2 Discussion and Action – Tentative Budget for the 2012-2013 Fiscal Year - The Council will discuss and possibly act to accept the tentative budget for Fiscal Year 2012 – 2013. The budget will be reviewed and discussed during the May 23, 2012 Town Council meeting. The final 2012 – 2013 fiscal year budget, including amendments to the 2011-2012 fiscal year budget are scheduled for approval following a Public Hearing to be held June 13, 2012.***

As the Town Treasurer, Councilmember Riley led this discussion. He noted that the budget before the Council is the Tentative Budget, and that the final budget will be reviewed at a Public Hearing on June 13, 2012.

Councilmember Riley began with review of the budget spreadsheet. He noted that due to recent staffing changes, the Tentative Budget line items will likely be amended significantly prior to final approval. He went on to review the prior year actual budget, year to date actual budget, current year projected final budget, and the tentative 2012-2013 fiscal year budget. He noted that total revenue and expenditures in the tentative budget currently show a budget surplus of approximately \$185,510. If the final budget reflects the surplus funds will be transferred to the capital projects fund. The current year budget will be finalized and amended as part of the approval process for the coming year.

Councilmember Riley went on to review accounting transfers of approximately \$800,000 which will be made from the Capital Projects Fund to Water Fund to reflect funds which have been expended

in the Water Fund. The available fund balance after transfers and funds reserved for specific projects will be reflected in the final budget.

The Council went on to briefly review specific issues relative to the 2012-2013 budget. Costs associated with several budget issues have not been included in the Tentative Budget, but will be included prior to approval of the final budget. Councilmember Fernandez requested additional information regarding the budget issue of water meter software. Mr. Love explained that water meters installed by the Town are compatible with radio read software which eliminates manual water meter reading. He clarified that the software may not be necessary at this point, but suggested that the Council discuss a threshold when implementing the software would be cost effective.

Mayor Farnworth noted that revenue to fund operation of additional street lights within the Town should be included in the budget. Mr. Love explained that approximately 13 additional street lights will become operational during the coming year, as well as additional lighting in the RDA area.

Councilmember Riley noted that purchase and implementation of Pelorus Methods accounting software is listed as a budget issue. He explained that the current year budget includes revenue to purchase the software. He stated that he and the office staff are requesting that the software be purchased during the current budget year and implemented during the month of June to begin preparation to start the 2012-2013 fiscal year with the software in place. The Council previously approved purchase of the software during the current budget year. Staff will proceed with purchase, installation and training associated with the software.

The Council also discussed increasing the budget for mosquito abatement. Mayor Farnworth noted that the program is covering a larger area. He also observed that adequate funding should be reserved to begin spraying in the spring prior to approval of the next fiscal year budget.

Mayor Farnworth called for further comments or discussion from the Council. Hearing none, he called for a motion.

COUNCILMEMBER FERNANDEZ MOVED TO ACCEPT THE FISCAL YEAR 2012-2013 TENTATIVE BUDGET AS PRESENTED AND TO SCHEDULE A PUBLIC HEARING TO REVIEW THE FINAL BUDGET ON JUNE 13, 2012. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

Councilmember Fernandez thanked Councilmember Riley and staff for their efforts in preparing the Tentative Budget.

**5.3 – Discussion and Action - Resolution #2012-01 Declaring Certain Town Property Surplus Property.** *The Council will review and possibly act to approve Resolution #2012-01 Declaring Certain Town Property Surplus. The Exhibit to the resolution will identify proposed surplus property as well as proposed disposal methods, including sale to the public, donation to charitable organizations, or in some cases inoperable or broken property will be discarded.*

Councilmember Riley invited Jake Holdaway to give a presentation regarding Public Surplus, an on-line surplus property auction site as a possible means of disposal of future surplus property. Mr.

Holdaway explained that a number of municipalities in Utah County are participating in the Public Surplus site to facilitate disposal of surplus property. He reviewed the functions of the site, including internal reallocation to charitable organizations, private citizen only auctions, or public auctions. He explained that using the site simplifies the process of surplus property disposal and helps the Town avoid spending more revenue to process the property than the sale will generate. He noted that Public Surplus is a free service. Staff will work with Mr. Holdaway to use this service for future surplus property needs.

Mayor Farnworth called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER HOLDAWAY MOVED TO APPROVE RESOLUTION #2012-01 DECLARING CERTAIN TOWN PROPERTY SURPLUS PROPERTY. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

*5.4– Discussion and Action – Vineyard Twitter Account Policy – The Council will review and possibly act to approve a policy outlining requirements as set forth by the Council for creation and operation of a Vineyard Town Twitter account. If approved, Twitter will be used to communicate information to residents and other interested parties in a timely manner with no cost to the Town.*

Mayor Farnworth noted that this item was discussed during the April 25, 2012 Town Council meeting. He called for comments or discussion from the Council. Hearing none, he called for a motion.

COUNCILMEMBER FERNANDEZ MOVED TO APPROVE THE VINEYARD TWITTER ACCOUNT POLICY AND AUTHORIZE STAFF TO CREATE A TWITTER ACCOUNT. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

#### **OPEN SESSION** – Citizen Comments

Mayor Farnworth called for comments from the audience. Robert Holdaway inquired as to plans to install sewer infrastructure on Holdaway Road. He explained that his existing septic system is failing, and that he does not want to spend the money necessary to replace the system if the Town plans to install sewer in the foreseeable future. Mr. Overson stated that installation of sewer on Holdaway Road is currently under engineering review. He agreed to review installation of sewer infrastructure to the Holdaway home and provide information to Mr. Holdaway regarding the feasibility of installing sewer lines as soon as possible.

#### **COUNCILMEMBER'S REPORTS** –

**Councilmember Riley** – Councilmember Riley observed that the Town has been met with several significant challenges over the past few months. He noted that the Council took quick and decisive action to address the challenges which has resulted in a vacancy in a staff position at the Town Hall, which he is interested in filling. He stated that in his role on the Town Council he has worked to protect

the Town's interests and feels that he has the skills and knowledge to represent the Town well. He stated that it is his goal to be a promoter of the public good in Vineyard.

Councilmember Riley acknowledged that he is aware that his responsibilities on the Town Council are very different than his role would be were he to be selected to fill the vacant position, and that there would be a learning curve as he established his own knowledge of administrative functions in the Town. He complimented the current Town Hall staff on their professionalism and ability to serve the community. He stated that he felt that the current staff and he could work well as a team to fulfill the responsibilities of the Town staff.

Councilmember Riley observed that this is not the time to make a decision regarding filling the position, but that he wanted to make the Mayor and Council aware that he is interested and willing to serve in that capacity when the time does come to make a decision.

**Councilmember Holdaway** – Councilmember Holdaway reported that Utah Valley Central Dispatch has implemented a new 911 system. He reported that the new non-emergency dispatch number is (801) 794-3970.

**Councilmember Gillespie** – Councilmember Gillespie was not present at the meeting.

**Councilmember Fernandez** – Councilmember Fernandez reported on discussions at a recent Timpanogos Special Service District meeting regarding possible litigation with the Homebuilders Association relative to Impact Fees.

#### **MAYOR'S REPORT** –

Mayor Farnworth reported on purchase of a landfill south of Fairfield by North Point Solid Waste and negotiations among affected entities to help keep sanitation prices under control. He also reported on discussions in MAG and COG meetings regarding tax rates and increases. He noted that the Utah Lake Commission is actively working on carp removal and phragmitie control projects.

The Council discussed setting a date on a first or third Wednesday to schedule a coordination meeting with Orem City staff and official. The Council went on to discuss planning a Town celebration in September.

#### **ADJOURNMENT** –

COUNCILMEMBER RILEY MOVED TO ADJOURN THE MEETING OF THE VINEYARD TOWN COUNCIL AND CONVENE THE MEETING OF THE VINEYARD REDEVELOPMENT AGENCY BOARD AT 8:45 P.M. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

**MINUTES APPROVED ON** – May 25, 2012

**CERTIFIED CORRECT BY** \_\_\_\_\_  
**DEBRA CULLIMORE, DEPUTY RECORDER**